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Notice of Allowability

Application No.

10/060,039

Examiner

Taghi T. Arani

Applicant(s)

SCHEIDT ET AL.

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to June 7 2004.
2. ☒ The allowed claim(s) is/are 13-18 and 25-30.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Albert Decary
SUPERVISOR PATENT EXAMINER
TECHNOLOGY CENTER 2

Ayaz Sheikh

DETAILED ACTION

Claims 13-18, 25-30 were pending in the application.

Claims 13-18, 25-30 are allowed over prior art of record.

Examiner's Statement of Reasons for Allowance

The following is an examiner's statement of reasons for the indication of allowable claimed subject matter.

Prior art of record directed to Gullman et al. disclose a system including a biometric security apparatus, an access device, and a host system. The biometric security apparatus and access device work together to authenticate users as a security safeguard for the host system by combining biometric data with other identifying and control data to issue a security token that the host system evaluates to determine if a user is authorized to access the host system. The biometric security apparatus can be embodied in a portable integrated circuit. As in claim 13, Gullman et al. utilize possession-based data in the form of a fixed code stored in ROM 24 on the biometric security apparatus. Gullman et al. can also utilize knowledge-data, in the form of a challenge code provided by the host system that must be entered by the user as part of the authorization process, the biometric data, challenge code, and possession-based data are used to create the security token. which the host systems evaluates to determine authentication.

However, Gullmnn et al. do not provide a modified version of the possession-based data instance, which is decrypted to generate a first recovered data instance that is interrogated against the possession-based data instance to generate a possession value that is used as a component of the security token. Rather, Gullmam et al. use the fixed

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code directly as the possession value. Likewise, Gullman et al. do not provide a modified version of the biometric-based data instance, which is decrypted to generate a second recovered data instance

Prior art of record directed to Gennaro et al. disclose a biometric authentication system having encrypted models. According to Gennaro et al., a biometric model is created from a biometric sample, and an encryption key is created from a password input. The encryption key is used to encrypt the biometric model. During an authentication process, the user enters a knowledge-based data instance, that is, his or her password. This password is used to create a key that is used to determine the stored encrypted biometric model, which is correlated against a newly-provided biometric input. However, the password is never used to recover a possession-based data instance from a modified version of the possession-based data instance required by independent claims 13 and 25.

Dependent claims 14-18 and 26-30 are also allowed by virtue of their dependencies.

Conclusion

Any inquiry concerning this communication or earlier communications from examiner should be directed to Taghi Arani, whose telephone number is (703) 305-4274. The examiner can normally be reached Monday through Friday from 8:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached at (703) 305-9648. The Fax numbers for the organization where this application is assigned is:

(703) 872-9306

Taghi Arani

Patent Examiner

7/6/2004

ALBERT DECADY
SUPERVISOR
TECHNICAL
EXAMINER
7100

for
Ayaz Sheikh